

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office APR 08 1999

Returned to applicant for correction _____

Corrected application filed _____

Map filed APR 28 1999 under 65029

The applicant Bright-Holland Corporation, a Nevada Corporation, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is (Artesian Well) Underground

2. The amount of water applied for is 0.10 cfs second-feet

(a) If stored in reservoir give number of acre-feet

3. The water to be used for irrigation purposes

4. If use is for:

(a) Irrigation, state number of acres to be irrigated 80 acres

(b) Stockwater, state number and kinds of animals to be watered

(c) Other use (describe fully under No. 12. "Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 4, T.31N., R.20E., M.D.B.&M., or at a point from which the NW Corner of said Section 4, bears N. 36° 49' 31" W., a distance of 3,210.33 ft.

6. Place of Use NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 4, T.31N., R.20E., M.D.B.&M.

7. Use will begin about January 1 and end about December 31 of each year.

8. Description of proposed works Drilled artesian well, 3 $\frac{1}{2}$ " inches in diameter, depth unknown

9. Estimated cost of works completed

10. Estimated time required to construct works One (1) year

11. Estimated time required to complete the application of water to beneficial use Five (5) years

12. Remarks: Water originates from an artesian well drilled between 1928 and 1936 by Gerald A. Smith & Fran M. Langenbucher (formerly Smith) as part of a homestead entry. A total of eleven (11) artesian were drilled on the property and a land patent was issued in 1937. Applicant reserves the right to file on vested rights on this and other sources on the property.

Gregory M. Bilyeu
By s/Gregory M. Bilyeu
P.O. Box 70458
Reno, Nevada 89570-0458

Compared gkl/cms lb/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins or before the Proof of Completion of Work is filed.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued for the irrigation of 18 acres within the described place of use.

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.10 cubic feet per second, but not to exceed 72 acre-feet annually and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

June 9, 2004

Proof of completion of work shall be filed on or before:

July 9, 2004

Water must be placed to beneficial use on or before:

June 9, 2008

Proof of the application of water to beneficial use shall be filed on or before:

July 9, 2008

Map in support of proof of beneficial use shall be filed on or before:

July 9, 2008

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 9th day of June, A.D. 2003



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____